

REMARKS

Claims 1, 2, 3, 4, 5, 6, 7, 12, and 22-26 are pending in the application. Claims 1 and 7 are currently amended; claims 22-26 are new. In a Notice of Allowance mailed March 16, 2007, the Examiner allowed claims 1-7 and 12. The present amendments are intended to define the claimed invention with greater clarity.

Claim 1

Claim 1 has been amended in several respects.

- (1) The definition of R_6/R_6' in claim 1 has been amended to include the statement that these substituents are at each occurrence independently selected from the list recited therein. This amendment is intended to ensure that it is clear that R_6/R_6' on the imidazolidine ring portion of the bicyclic core need not be the same as R_6/R_6' in W in the cyclopentane portion of the bicyclic core when W is CR_6R_6' . This amendment is supported by the disclosure as filed. See, e.g., Examples 2-51, in which W is $CHOH$ (i.e. CR_6OR_3 wherein R_6 is H and R_3 is H) but R_6/R_6' on the imidazolidine ring are taken together to be =O; or Example 56, in which W is CH_2 (i.e. CR_6R_6' in which both R_6 and R_6' are H) whereas R_6/R_6' on the imidazolidine ring are taken together to be =O; or Examples 65 and 68, in which W is $C=NOH$ (i.e. CR_6R_6' in which R_6 and R_6' are taken together to be NOH) but R_6/R_6' on the imidazolidine ring are taken together to be =O; or Example 69, in which W is $CHNH_2$ (i.e. $CR_6NR_4R_4'$ in which R_6 , R_4 and R_4' are each H) but R_6/R_6' on the imidazolidine ring are taken together to be =O; and note that in contrast, in, e.g., Example 52, W is $C=O$ (CR_6R_6' where R_6/R_6' are taken together to be =O) and R_6/R_6' on the imidazolidine ring are also taken together to be =O. Thus, this amendment is supported by the specification, and its introduction does not constitute new matter.
- (2) The passage "wherein the variables R_1 , R_2 , R_2' , R_4 , R_4' , R_5 , R_5' , R_6 , R_6' or W independently does not represent heteroaryl or heterocycle, the variables R_1 , R_2 ,

R_{2'}, R₄, R_{4'}, R₅, R_{5'}, R₆, R_{6'} or W independently is not substituted with heteroaryl or heterocycle, the variable G does not represent heteroaryl or heterocycle, and the variable G is not substituted with heteroaryl or heterocycle;” was inserted during earlier prosecution in order to explicitly exclude from claim 1 non-elected species which have certain heterocyclic substituents. This passage has now been deleted from claim 1 because Applicant submits that this passage is redundant: by definition, none of the moieties recited in this passage can be heterocyclic or substituted with a heterocycle. For example, R₁ may be H, alkenyl, substituted alkenyl, COR₂R₄, CONR₄R_{4'}, or CH₂OR₄; but as defined earlier in the claim, R₄/R_{4'} cannot be a heterocycle or form a heterocycle. Inasmuch as the definitions for the substituents recited in the first half of the claim preclude these substituents being substituents of non-elected species, Applicant does not believe it is necessary to include the passage “wherein the variables R₁, R₂, R_{2'}, …”, and has now deleted this passage.

- (3) Part (b) of the proviso was included in claim 1 as originally filed in order to avoid overlap with co-assigned U.S. Patents Nos. 6670386 and 6992102. This part of the proviso has now been amended to more clearly delineate what is and is not excluded from the claim. Applicant draws the Examiner’s attention to the fact that this part of the proviso, as presently written, (I) distinguishes between R₆/R_{6'} on the imidazolidine portion of the bicyclic core and R₆/R_{6'} in W (for the same reasons set forth in paragraph (1) above) and (II) explicitly enables W in the claimed compounds to be carbonyl, since one of the conditions for part (b) of the proviso to apply (and therefore for a compound to be excluded from the claim) is that at least one of R₆/R_{6'} in W is H. The ‘086 and ‘102 patents do not disclose compounds in which the position equivalent to W is carbonyl, and therefore Applicant does not believe it is necessary to exclude from the claims those compounds in which W is carbonyl. W as carbonyl is supported by the originally filed disclosure, see e.g. Examples 52, 59 and 63, as well as pages 5-6 of the specification, particularly page 6, lines 15-16.

Claim 7

Claim 7 has been amended to depend from new claim 22 (see below).

Claim 22

New dependent claim 22 has been added and claims a small sub-genus of compounds falling within the genus of compounds claimed in claim 1. It is respectfully submitted that this sub-genus is supported by the application as originally filed. Many of the compounds in this sub-genus are recited in originally filed claims 5, 6 and 7, and all of the compounds in originally filed claim 7 fall within the scope of new dependent claim 22.

Claims 23-26

New claims 23-26 are dependent claims which are directed respectively to two particular compounds and to pharmaceutical compositions containing these compounds. The two compounds are disclosed respectively in Examples 23 and 85, and thus claims 23-26 are supported by the specification.

In view of the foregoing amendments and remarks, it is respectfully requested that the application is in condition for allowance. Allowance of the application is respectfully requested.

Sincerely yours,



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